

FACSIMILE COVER SHEET

JUL 05 2004

GOODWIN MCKAY*Barristers, Solicitors, Patent and Trademark Agents*Firm Email: Info@gmiplaw.comPhone: (403) 203-0107 - Facsimile (403) 203-0403
goodwin@gmiplaw.com & mckay@gmiplaw.comThe Burns Building, Suite 360, 237 - 8th Ave. S.E., Calgary, AB T2G 5C3

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ATTENTION: **Group art Unit 3751 - Before Final**

VOICE No.:

Examiner Khoa D. Huynh

COMPANY: USPTO

OUR FILE No.: 2258-002

Your File No.: 10/601,588

DATE: July 5, 2004

NOTES:

Response to Examiner's Election Requirement

In re application of:

Len Hudzinski

:

Examiner: Khoa D. Huynh

SERIAL NO. 10/601,588

:

Group Art Unit 3751

FILED: June 24, 2003

TITLE: **HANGING COVER SUPPORT APPARATUS**

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In re application of:

Len Hudzinski : **Examiner: Khoa D. Huynh**

SERIAL NO. 10/601,588 : **Group Art Unit 3751**

FILED: June 24, 2003

TITLE: HANGING COVER SUPPORT APPARATUS

The Honorable Commissioner
of Patents and Trade Marks
P.O. Box 1450
Alexandria, Virginia 22313-1450
USA

Via Facsimile to TC 3700 703-872-9306

Sir:

RESPONSE

This response is responsive to the Examiner's action dated June 17, 2004 and due without extension July 17, 2004.

REMARKS

Applicant appreciates the Examiner's forwarding of the written office action requesting a restriction requirement. Applicant's representative however was unaware that the Examiner had attempted to make telephone contact as there were no messages left asking for a verbal election.

Applicant elects, the subject matter of the Examiner's Species I, specifically as depicted in Fig. 7a and claimed in claims 1-12 and 14-20 for furthering prosecution. The election is made without prejudice to the non-elected subject matter in respect of filing future applications directed to said subject matter.

Applicant believes that claims 1-12 and 14-20 claim the elements of the species identified by Examiner as being depicted in Fig. 7a. Although not identified by the Examiner, applicant submits that the same species (Species I) is also shown in Figs. 2a-2e, 3, 5, 6a-6b and 8c.

Examiner has stated that claims 1-4, 10, 15 and 17-19 are held to be generic. Applicant understands that should patentable subject matter be found in any

SERIAL NO. 10/601,588

1

Atty Docket: 2258-002